

**REPORT OF INDUSTRIAL STORMWATER INSPECTION
AT
HARTINGTON RENDERING COMPANY
NPDES GENERAL PERMIT NUMBER: NER 900000
AUTHORIZATION NUMBER: NA**

**HARTINGTON, NEBRASKA
BY
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION VII
Environmental Services Division**

November 17 and 19, 2014

INTRODUCTION

At the request of the Region VII Water, Wetlands and Pesticides Division, Water Enforcement Branch (WWPD/WENF), an Industrial Stormwater Inspection was conducted at Hartington Rendering Company in Hartington, Nebraska. The inspection was conducted under the authority of Section 308 of the Clean Water Act, as amended, and in accordance with EPA Region VII Standard Operating Procedures for Compliance Inspections (ENSV SOP 2332) and related SOPs cited in this report. This narrative report and attachments present the results of this inspection.

PARTICIPANTS

Hartington Rendering Co.:

Kent Brummels, Owner and Operator

U.S. Environmental Protection Agency (EPA):

Lyle Cowles, Environmental Scientist

INSPECTION PROCEDURES

Facility personnel were not notified prior to the inspection. I arrived at the facility unannounced on the afternoon of November 17, 2014, introduced myself, presented my credentials and explained the purpose and procedures of my inspection to Mr. Brummels. I conducted most of the inspection that afternoon accompanied by Mr. Brummels. The inspection consisted of a walk-through inspection of the indoor and outdoor areas of the facility including the indoor operations areas and the product and raw material loading and unloading areas as well as the perimeter property boundaries including the receiving stream adjacent to the facility. I left the facility that afternoon and returned on the morning of November 19th to conduct an exit briefing with Mr. Brummels. During the exit briefing I issued an NOPV which was signed by Mr. Brummels.

FACILITY DESCRIPTION

Hartington Rendering is located on approx. 6 acres along the north side of 882nd Rd. in the southeast corner of Hartington (see Attachment 1, Facility Map and Attachment 2, Aerial Photo/Facility Diagram). The facility has been in business at this location for over 25 years, and is owned by Mr. Brummels and operated by him and his son. The facility performs rendering (cooking) of whole dead chickens without any processing such as de-feathering. In addition, the facility renders used fryer (vegetable) oil and liquefied pork fat (see photo 2). The chickens are rendered to produce a dry animal feed additive (see Attachment 3, Facility Photos, photo 3) and the oil and pork fat are rendered to produce a liquid animal feed additive. According to Mr. Brummels, the facility is open for business 5 days per week but the two renderers (cookers, see photo 4) operate only about 50 days per year and process an average of about 40 tons of chickens and 150 tons each of oil and pork fat per year.

All rendering is performed inside the rendering facility (see Attachment 2). However, the transfer (load-in and load-out) and storage of raw and rendered materials are performed by facility personnel outside on the west and south sides of the facility (see Attachment 2). Chickens are brought to the facility in barrels and unloaded at an opening at the truck ramp on the west side of the facility (see photo 5). Liquid fat and oil are brought into the facility in tanker trucks (see photo 1) and unloaded using portable hoses and couplings (see photos 6 to 8). This is done at and the large black receiving tank at the southwest corner of the facility. The 500 gallon poly tank in front of the inclined truck ramp is also sometimes used to store oil and fat (see photos 9 and 10). Load-out of the dried chicken product is done at the southwest corner of the facility using an auger and is transferred into and stored in a covered semi-trailer (see Attachment 2 and photos 1, 3, 11 and 12). The oil (product) load-out area and oil product storage tank are on the south side of the facility (see Attachment 2 and photos 1 and 13). Oil product load-out is also done using portable hoses and couplings.

Site Drainage and Receiving Stream: The facility property sits next to Bow Creek (see Attachments 1 and 2) and the property slightly slopes to the northwest and drains to Bow Creek (see photo 14). Mr. Brummels stated that stormwater from the facility (including the load-in and load-out areas of the facility) exits the property at two points which are marked on Attachment 2 as SW1 and SW2 (see Attachment 2 and photos 14 and 15). Prior to discharge from SW1, stormwater drains to and pools in a low area (see photo 14). This area is above an underground 4-cell anaerobic storage tank (see photo 14) which is used to treat and store process wastewater from the rendering operation. This wastewater is disposed of by land application and the facility had an NPDES Land Application permit for this operation (see Findings).

The south river bank of Bow Creek (down-gradient from SW1 and SW2) is only moderately sloped (see photo 16) and a low area on the bank provides a second place for stormwater to pool. In addition, on the creek bank adjacent to the creek, there was a berm with a shallow excavation pit inside of it (see photos 17 and 18). Mr. Brummels stated that he dug the pit in order to capture sediment (deposited during high flows) to use for fill purposes. Although not it's intended purpose, the berm and pit appeared to possibly function as an additional sediment basin for stormwater from the facility.

FINDINGS AND CONCLUSIONS:

1. No Authorization Under the Current General Permit: The facility received a discharge authorization under the old NDEQ General stormwater permit (NER 000529) which was issued in 1998. After the inspection, I obtained a copy of the 1998 Authorization Letter (included as Attachment 4) from Bob Zimmerman of NDEQ. However, Mr. Brummels did not have a copy of and could not recall having a SWPPP for the old permit. He was also not familiar with the term SWPPP or the general requirements of the SWPPP and permit such as conducting routine facility inspections. In addition, at the time of this inspection, Mr. Brummels had not applied for or received a discharge authorization under the new NDEQ general stormwater permit (NER900000) which became effective in July 2011. A copy of the new permit is included as Attachment 5. *I cited the failure to obtain authorization to discharge under the current general permit on the NOPV which was given to and signed by Mr. Brummels during the exit briefing (see Attachment 6, NOPV).*

Mr. Zimmerman of NDEQ confirmed that the facility is subject to sub-section U2 (Fats & Oils Products) of the new general permit and stated that, since the facility had an authorization under the old permit, it is very likely that the facility was sent a certified letter by NDEQ to renew the authorization under the new general permit. However, he could not verify that the facility received a renewal notice as the certified letter records from that time period were not readily available. Mr. Brummels stated that he was not exactly sure why he had not obtained an authorization under the new permit but may have mistakenly been under the impression that he did not need a stormwater permit because of his NPDES land application permit (see Finding below). Mr. Brummels also stated that it was possible he may have received the permit renewal letter from NDEQ and disregarded it.

During the exit briefing, Mr. Brummels stated that it was his intention to submit an application for the current permit (NOI) as soon as possible. I informed him that the permit requires the facility to have a SWPPP prior to submitting the NOI. I also provided him with a copy of the new permit and directed his attention to pages 23 to 28 which describe the required contents of the SWPPP.

2. Condition of the Property: During my inspection of the property, I did not observe any soil or concrete staining in the in-loading and out-loading areas which would indicate there had been spills or leaks of either products or raw materials (see photos 7, 8, 10, 13). There were some dark areas at the base of the oil load-out tank (see photo 13). However, these appeared to be due to water from snow melt. Neither the receiving nor the load-out tanks had secondary containment structures around them. In addition, I also did not observe any discharge pipes or visual differences in Bow Creek upstream and downstream of the facility. There was a very small amount of the dry product scattered at the base of the door of the semi-trailer (see photo 12), but this material did not appear to have moved out of this immediate area. I did not observe any runoff from the entire property but the ground was frozen and the area had received several inches of snow before the inspection.

3. NPDES Land Application Permit: As stated previously, the facility uses an underground 4-cell anaerobic storage tank (see photo 14) to treat and store process wastewater from the rendering operation. This wastewater is disposed of by land application and the facility has an authorization under the NPDES Land Application permit for this operation. A copy of the authorization under the NPDES permit is included as Attachment 7. The facility has annual reports prepared for this permit and a copy of the 2013 report is included with the document control sheet as part of the transmittal package for this report.

4. NOPV Response: I received a Response Letter to the NOPV from Mr. Brummels which was post-marked November 28, 2014, and is included as Attachment 8. The NOPV Response Letter states that Mr. Brummels is in the process of obtaining authorization under the general stormwater permit NER 900000 (see Attachment 8).

RECOMMENDATIONS

1. The facility must apply for authorization to discharge under the current general industrial stormwater permit.
2. The facility must develop a SWPPP prior to applying for authorization to discharge. In addition, the facility must ensure that the SWPPP is implemented and that the information in the SWPPP is kept up to date to reflect current conditions at the facility.



Lyle Cowles
Environmental Scientist
Date: December 8, 2014

Attachments:

1. Facility Map (1 page)
2. Aerial Photo/Diagram (1 page)
3. Facility Photos (19 pages including cover)
4. 1998 Authorization Letter (1 page)
5. NDEQ General Stormwater Permit (36 pages)
6. NOPV (1 page)
7. Authorization under the NPDES Land Application permit (1 page)
8. NOPV Response (3 pages)